

Service Date: June 10, 1996

**FINAL ORDER NO. 6406**

**DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION  
1701 Prospect Avenue, PO Box 202601  
Helena, Montana 59620-2601**

<b>IN THE MATTER OF Jill Michelle Richards )</b>	
<b>dba Whitefish Taxi &amp; Kiddy Cab, Whitefish, )</b>	
<b>Montana, application for a Montana )</b>	<b>Docket No. T-96.17.PCN</b>
<b>Intrastate Certificate of Public Convenience )</b>	<b>Order No. 6406</b>
<b>and Necessity. )</b>	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

**FINDINGS OF FACT**

1. On February 26, 1996, Jill Michelle Richards dba Whitefish Taxi Company, 519 Skyles Place, Whitefish, MT 59937-2311, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class B - Passengers between all points and places within Flathead County.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public March 6, 1996. That notice said in pertinent part:

If no written protests are received by March 26, 1996, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were received from Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Shuttle, Kalispell, Montana; James E. Michael dba Kalispell Taxi Service, Kalispell, Montana; Rocky Mountain Transportation, Inc., Whitefish, Montana; Valet Limousine, Inc., Missoula, Montana; and Randall Eugene Johnson dba Flathead Glacier Transportation, Whitefish, Montana..

4. On April 19, 1996, Applicant amended the proposed business name to Whitefish Taxi and Kiddy Cab.

5. On May 30, 1996, Applicant submitted the final amendments to the proposed scope of operating authority. All protests were subsequently withdrawn. The stipulated amendments are incorporated into the Order granting authority herein.

6. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, PO Box 202601, Helena, Montana 59620-2601.

#### **CONCLUSIONS OF LAW**

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

#### **ORDER**

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on the 6th day of March, 1996, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-96.17.PCN,

and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of Jill Michelle Richards dba Whitefish Taxi & Kiddy Cab, Whitefish, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class B - Passengers between all points and places within Whitefish, Montana and an eleven (11) mile radius thereof.

Limitations: 1) Transportation is prohibited south on U.S. Highway 2 at the intersection of U.S. Highway 2 and 40. 2) Transportation is restricted to that provided by vehicles with rated seating capacity of seven or less. 3) Transportation in limousine service is prohibited. 4) Transportation of Burlington Northern crews is prohibited. 5) Transportation of skiers is prohibited to or from the Big Mountain Ski area from Thanksgiving Day through Easter Sunday. 6) Transportation to or from the airport is prohibited.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 6th day of June, 1996, by a vote of 5 - 0.

**BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.**

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**NANCY McCaffree, Chair**

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**DAVE FISHER, Vice Chair**

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**BOB ANDERSON, Commissioner**

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**DANNY OBERG, Commissioner**

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**BOB ROWE, Commissioner**

**ATTEST:**

**Kathlene M. Anderson**  
**Commission Secretary**

**(SEAL)**

**NOTE:**        **Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.**